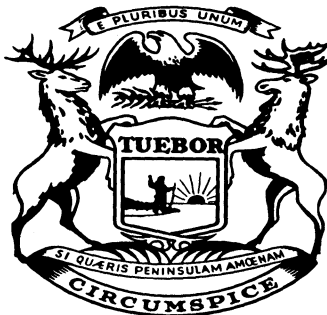


STATE OF MICHIGAN
ATTORNEY DISCIPLINE BOARD
ATTORNEY GRIEVANCE COMMISSION

COMMISSION MEMBERS
KENT J. VANA
CHAIRPERSON
MARTHA D. MOORE
VICE-CHAIRPERSON
JAN A. BRANDON
SECRETARY
KAREN M. DUNNE WOODSIDE
MARY M. FOWLIE
ROZANNE SEDLER
DAVID L. PORTEOUS
BARBARA B. SMITH

ROBERT L. AGACINSKI
GRIEVANCE ADMINISTRATOR



BOARD MEMBERS
WILLIAM J. DANHOF
CHAIRPERSON
THOMAS G. KIENBAUM
VICE-CHAIRPERSON
ROSALIND E. GRIFFIN, M.D.
SECRETARY
WILLIAM L. MATTHEWS, CPA
CARL E. VER BEEK
CRAIG H. LUBBEN
JAMES M. CAMERON, JR.
ANDREA L. SOLAK
SYLVIA P. WHITMER, PH.D.

JOHN F. VAN BOLT
EXECUTIVE DIRECTOR

February 28, 2011

Corbin R. Davis, Clerk
Michigan Supreme Court
P. O. Box 30052
Lansing, MI 48909

Re: ADM 2006-38 - Proposed Amendments of Subchapter 9.100 *et seq*

Dear Mr. Davis:

The Attorney Discipline Board and Attorney Grievance Commission propose the following revisions to the published proposal to amend subchapter 9.100 of the Michigan Court Rules. The intent of the suggested revisions is to remedy certain inconsistencies and other technical problems. Deletions from the published version are struck through. Added language is underlined.

9.101(16) [added definition of “disciplinary proceeding”]

The following language is proposed:

“disciplinary proceeding’ means ~~all matters filed with the board a~~
proceeding commenced under this subchapter seeking the imposition
of discipline for misconduct.”

9.103(C) [Duty to Assist Administrator]

The following language is proposed:

“An attorney other than a respondent or respondent's attorney shall cooperate with the administrator in the investigation, prosecution, and disposition of a request for investigation or ~~disciplinary proceeding~~
filed with or by the administrator under this subchapter.”

9.109(C)(2)(a) [Legal Counsel to Administrator]

The following language is proposed:

"commence disciplinary proceedings by filing pleadings or notices under this subchapter;

9.110(E)(3) [Board Powers and Duties]

The following language is proposed:

"assign a disciplinary proceeding under this subchapter to a hearing panel or to a master, except that a proceeding for reinstatement under MCR 9.124 may not be assigned to a master;"

MCR 9.110(E)(5) [Powers and duties of the Board]

The following language is proposed:

"(5) on request of the administrator or respondent leave granted by the Board, review a petition for leave to appeal and a petition for leave to review a nonfinal order of a hearing panel."

9.111(C)(1) [Hearing Panel Powers and Duties]

The following language is proposed:

"Schedule a public hearing on a disciplinary proceeding, judgment of conviction, or reciprocal discipline proceeding under this subchapter assigned to it within 56 days after the proceeding is commenced or of the date that notice of the reinstatement petition is published, except that a proceeding for reciprocal discipline shall be governed by MCR 9.120 matter is filed with the board. A hearing must be concluded within 91 days after it is begun, unless the board grants an extension for good cause."

MCR 9.118(A)(1) [Review of order of Hearing Panel]

The following language is proposed:

"The administrator, the complainant, or the respondent may petition the board in writing to review the order of a hearing panel filed under MCR 9.113(B), 9.115, 9.116, 9.120, 9.121, or 9.124. The board may grant review of a nonfinal order and decide such interlocutory matters without a hearing."

9.120(C)(1) [Reciprocal Discipline]

It is proposed that a portion of this paragraph (quoted in pertinent part below) be amended as follows:

"shall establish conclusively the misconduct or the disability for purposes of a proceeding under subchapter 9.120 9.100 of these rules"

February 28, 2011

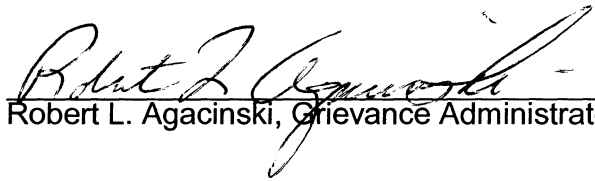
Page 3

The Attorney Grievance Commission and the Attorney Discipline Board appreciate this opportunity to comment on the proposed amendments to subchapter 9.100. Should the Court have any questions regarding the reasons for these suggested revisions, please do not hesitate to contact our offices.

Respectfully submitted,

ATTORNEY GRIEVANCE COMMISSION

ATTORNEY DISCIPLINE BOARD


Robert L. Agacinski, Grievance Administrator


John F. Van Bolt, Executive Director